

ADMINISTRATION FOR CHILDREN AND FAMILIES

Conference Report

Excerpts from the Consolidated Appropriations Resolution, 2003

(Public Law 108-7)

DIVISION G--LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS 2003

In implementing this agreement, the Departments and agencies should follow the language and instructions set forth in the explanatory statement of the Managers in the Senate accompanying H.J. Res. 2 that appears in the Congressional Record of January 15, 2003. With respect to the provisions in the Senate explanatory statement that specifically address the allocation of funds, each has been reviewed by the conferees and those that are jointly concurred have been endorsed in this joint statement.

In the cases where the Senate explanatory statement requests a report, the conferees are agreed that departments and agencies have up to 90 days beyond the due date specified in the Senate explanatory statement to submit the report.

The conferees are aware of several instances during the past year where the Departments funded in the Labor, Health and Human Services, Education and Related Agencies Appropriations Act have failed to consult with, or timely notify, the House and Senate Appropriations Committees about significant budgetary actions and the reorganization of departmental offices, programs, and activities. Moreover, some Departments have become too lax in responding to the requests for information or reports from the Committees. The conferees believe that timely, accurate and complete information is critical in order for the Appropriations Committees to meet their oversight responsibilities. The conferees fully expect that the Departments funded in this bill will be more responsive to the Committees in this regard.

Therefore, the conferees concur with language included in the explanatory statement of the Senate regarding reprogramming and the initiation of new programs. The conferees direct that the Departments and agencies funded through this Division make a written request to the chairmen of the Committees prior to the reprogramming of funds in excess of 10 percent, or \$500,000, whichever is less, between programs, activities, or elements unless an alternate amount for the agency in question is specified elsewhere in this Division of this statement. The conferees further agree that a reprogramming request is required for actions involving less than the above-mentioned amounts if such actions would have the effect of changing an agency's funding requirements in future years or if the action can be construed to be the initiation of a new program.

Second, the conferees reiterate that the Committees be notified regarding reorganization of offices, programs, or activities prior to the planned implementation of such reorganizations.

Third, the conferees request that each Department institute a tracking system for reports requested by the Committees in order to ensure their timely submission.

Finally, the conferees concur with language in the explanatory statement of the Senate that statements on the effect of this division of this appropriation Act be submitted to the Committees within 60 days of enactment of this Act.

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003, put in place by this resolution, incorporates the following agreements of the managers:

ADMINISTRATION FOR CHILDREN AND FAMILIES

REFUGEE AND ENTRANT ASSISTANCE

The conference agreement appropriates \$446,724,000 as proposed by H.R. 246 instead of \$442,724,000 as proposed by the Senate. Within this amount, \$151,121,000 is provided for Social Services, as proposed in H.R. 246. The Senate bill included \$147,121,000 for this purpose.

The conferees recognize the importance of continued educational support to schools with a significant proportion of refugee children, consistent with previous support to schools heavily impacted by large concentrations of refugees, and urge the Office of Refugee Resettlement to support these efforts should funding become available in the Social Services or other accounts.

The agreement also includes \$19,000,000 for increased support to communities with large concentrations of refugees whose cultural differences make assimilation especially difficult justifying a more intense level and longer duration of Federal assistance.

CHILDREN AND FAMILIES SERVICES PROGRAMS

The conference agreement includes \$8,643,117,000 for children and families services programs instead of \$8,467,062,000 as proposed by H.R. 246 and \$8,648,884,000 as proposed by the Senate.

Runaway youth

The conference agreement includes \$90,567,000 for runaway youth instead of \$93,000,000 as proposed by the Senate and \$88,133,000 as proposed by H.R. 246. Within the funds provided, \$40,770,000 is available for the transitional living program (TLP). The conference agreement includes these additional resources to meet the needs of more young people in need of services.

Child abuse

The conference agreement includes \$34,066,000 for child abuse discretionary programs instead of \$26,351,000 as proposed by H.R. 246 and the Senate. Within the funds provided for child abuse prevention programs, the agreement includes the following items:

AGAPE of Central Alabama, Inc., Montgomery, Alabama, for their work with the children in need	\$70,000
Alameda County Social Service Agency, Alameda County, California, for Another Road to Safety Program to serve low to moderate risk families	440,000
Alaska Department of Health and Social Services, in consultation with the Alaska Native Health Board, the Municipality of Anchorage, Cook Inlet Tribal Council, University of Alaska, and the Anchorage Women's Commission to develop a comprehensive statewide plan on	600,000
Asian Pacific Women's Center, Inc., Los Angeles, CA., for Domestic Violence Transitional Housing program to protect at risk children	150,000
Boys and Girls Home of Nebraska Child Abuse Prevention Program to provide statewide child abuse prevention and counseling services to families	350,000
Catholic Community Services/Juneau Family Resource Center in Alaska to address child abuse prevention issues	250,000
Center for Women and Families, Inc., Louisville, Kentucky, for child abuse prevention programs	100,000
Child Welfare League of America, Inc., Washington, DC, for study on Monitoring Safety of Children in Foster Care	500,000
Childhelp USA, Fairfax, Virginia, to reduce the incidence and severity of child abuse and enhance the ability to investigate reports and meet the needs of victims of child abuse	250,000
Children's Village, Inc. in Pine Ridge, South Dakota to serve children of the Oglala Sioux Tribe who are abused and neglected and are removed from the care of their parents	140,000
Communities against Domestic Violence, Falls Church, VA, to prevent family violence in language-minority communities	240,000
Homeless Prenatal Program, San Francisco, CA, for services to at-risk children	400,000
Nexus Diversified Community Services of Manteno, Illinois, to enhance and expand its community-based residential center for sexually abused youth.	1,100,000
Mockingbird Society of Seattle, Washington to pilot a model program for maintaining and stabilizing children in the state foster care system	325,000
Ohel Children's Home and Family Services, Brooklyn, NY, for a child abuse prevention program	300,000
Parents Anonymous of Iowa to expand child abuse prevention services in Iowa	50,000
Parents for Meghan's Law in Stony Brook, New York for educational programs	100,000

for victims of child abuse and their families	
State of Alaska for emergency housing for victims of child abuse in Anchorage, Alaska	250,000
State of Alaska Healthy Families/Better Beginnings home visiting program for State of Alaska and regional Native non-profit organizations	2,000,000
Vanessa Behan Crisis Nursery, Spokane, Washington, to create a national demonstration project	100,000

Compassion capital fund

The conference agreement includes \$35,000,000 for the compassion capital fund, instead of \$30,000,000 as proposed by H.R. 246 and \$45,000,000 as proposed by the Senate.

Social services and income maintenance research

The conference agreement includes \$34,937,000 for social services and income maintenance research instead of \$6,000,000 as proposed by H.R. 246 and the Senate. \$6,000,000 of this total is provided through the Public Health Service evaluation funding tap as proposed by the Senate. The conferees note that efforts undertaken through the State information technology consortium have led to greatly improved systems communications and compliance in both the TANF and child support enforcement (CSE) programs. For TANF, the conferees have provided \$2,000,000 to permit the consortium to put in place a web-based technology that allows for communications and interface within States, across State borders, and between ACF and States. For CSE, the conferees have provided \$3,000,000 to launch the next phase of the consortium's efforts to remove barriers to child support collections and to improve the flow of information between agencies and the court system. The conferees also provide funding for the following:

Alaska Children's Services program to serve needs of at risk youth in Anchorage	\$250,000
Bethesda Children's Home	150,000
Clearbrook, Arlington Heights, Illinois	187,000
Concerned Citizens, Inc., Chicago, Illinois, for Mother's House	250,000
Fathers Day Rally Committee, Philadelphia, PA for the Rites of Passage program	150,000
Good Shepherd Alliance, Inc., Leesburg, Virginia, for Hand up to Self Sufficiency for the Homeless project	50,000
Gulf Coast Jewish Family Services, Inc., Clearwater, Florida for Battered Immigrant and Refugee Women's Project	500,000
National Energy Assistance Directors Association, Washington, DC, for studies regarding home energy assistance	200,000
San Jose Office on Child Care, San Jose, CA, for pilot program to increase access to child care resources	100,000
St. Elizabeth's Foundation in Baton Rouge, LA for an adoption awareness campaign	100,000

The Institute for Responsible Fatherhood and Family Revitalization, PA., for the Philadelphia non-custodial fatherhood program to reconnect fathers with their children	100,000
University of Alaska School of Social Work to evaluate effectiveness of Alaska's child welfare system	750,000
Henry Hosea House in Kentucky for support of programs that serve the homeless and needy	150,000

Developmental disabilities

For Developmental Disabilities, the conference agreement includes \$71,600,000 for State Councils instead of \$69,800,000 as proposed by H.R. 246 and \$72,200,000 as proposed by the Senate. The conference agreement includes \$36,500,000 for protection and advocacy services instead of \$35,000,000 as proposed by H.R. 246 and \$37,000,000 as proposed by the Senate. It also includes \$12,484,000 for special projects instead of \$11,734,000 as proposed by H.R. 246 and \$12,734,000 as proposed by the Senate. For university-affiliated programs, the agreement includes \$25,125,000 instead of \$24,000,000 as proposed by H.R. 246 and \$25,500,000 as proposed by the Senate.

Native American programs

The conference agreement includes \$45,754,000 for Native American Programs, instead of \$45,196,000 as proposed by H.R. 246 and \$45,912,000 as proposed by the Senate. Within the total the conferees provide funding for the following:

Blanket of Wellness program of Southeast Alaska Regional Health Corporation and Central Council of Tlingit-Haida Social Services to promote healthy development of Alaska Native children in Southeast Alaska	\$200,000
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Community services

The conference agreement includes \$649,987,000 for the community services block grant as proposed by the Senate instead of \$570,000,000 as proposed by H.R. 246. The conferees believe that the activities funded by the Community Services Block Grant program have made an important difference in the lives of many of our citizens living in some of the more economically depressed parts of our country. However, it has come to the attention of the conferees that one or more States may have accumulated sizeable unexpended balances of CSBG funds and have failed to reallocate all such funds to other eligible grantees, as authorized by the Community Services Block Grant Act. The conferees request that the Secretary of Health and Human Services provide to the Committees on Appropriations a report detailing the levels of unexpended balances of Community Services Block Grant funds in each State for the period of

fiscal year 1995 through fiscal year 2002 and a plan ensuring that these funds are made available to grantees more expeditiously in the future. The Secretary is requested to provide this report by August 15, 2003.

The conference agreement also includes \$32,759,000 for economic development, instead of \$32,517,000 as proposed by H.R. 246 and \$33,000,000 as proposed by the Senate. The conferees also set aside \$5,500,000 within the community economic development program for the job creation demonstration authorized under the Family Support Act.

The conference agreement includes \$7,250,000 for Rural Community Facilities instead of \$7,000,000 as proposed by H.R. 246 and \$7,500,000 as proposed by the Senate.

The conference agreement includes \$7,329,000 for community food and nutrition, instead of \$6,657,000 as proposed by H.R. 246 and \$8,000,000 as proposed by the Senate.

Family violence prevention and services

The conference agreement includes \$15,500,000 for runaway youth prevention instead of \$14,999,000 as proposed by H.R. 246 and \$16,000,000 as proposed by the Senate.

The conference agreement includes \$2,579,000 for the domestic violence hotline instead of \$2,157,000 as proposed by H.R. 246 and \$3,000,000 as proposed by the Senate.

The conference agreement also includes \$127,230,000 for Battered Women's Shelters instead of \$124,459,000 as proposed by H.R. 246 and \$130,000,000 as proposed by the Senate.

Early learning opportunities

For the Early Learning Fund, the agreement includes \$34,000,000 instead of \$38,000,000 as proposed by the Senate. H.R. 246 did not include funding for this program.

Mentoring children of prisoners

The conference agreement includes \$10,000,000 for Mentoring Children of Prisoners instead of \$12,500,000 as proposed by the Senate. H.R. 246 did not include funding for this newly proposed program.

Independent living training vouchers

The conference agreement includes \$42,000,000 for Independent Living Training Vouchers instead of \$39,769,000 as proposed by H.R. 246 and \$60,000,000 as proposed by the Senate.

Program administration

The conference agreement includes \$172,997,000 for Program Direction instead of \$171,837,000 as proposed by H.R. 246 and \$171,747,000 as proposed by the Senate.

PROMOTING SAFE AND STABLE FAMILIES

The conference agreement includes \$100,000,000 for the discretionary grant program of Promoting Safe and Stable Families, instead of \$70,000,000 as proposed by H.R. 246 and \$200,000,000 as proposed by the Senate.

GENERAL PROVISIONS

TRANSFER AUTHORITY

The conference agreement includes language permitting the Secretary of HHS to transfer up to one percent of discretionary funds between appropriations, with up to an additional 2 percent subject to approval of the Appropriations Committees. The traditional language is retained that permits the transfer of funds appropriated for HHS in this Act and any other acts as proposed by H.R. 246. The Senate bill proposed the transfer of funds appropriated only under this Act.

REFUGEE STATUS OF CERTAIN PERSECUTED GROUPS

The conference agreement includes a provision proposed by the Senate to extend the refugee status for persecuted religious groups. H.R. 246 contained no similar provision.

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

The conference agreement includes a provision that transfers \$100,000,000 in LIHEAP emergency funds to the regular formula program. The Senate bill included a transfer of \$300,000,000 in LIHEAP emergency funds to the regular formula program. H.R. 246 contained no similar provision. Between passage of the Senate bill and conference, the Department of Health and Human Services released \$200,000,000 in LIHEAP emergency funds; this conference agreement includes a transfer of the full \$100,000,000 remaining in the emergency account to the regular formula program. It is the intent of the conferees that these funds, in

addition to the \$1,700,000,000 in new budget authority provided in this Act, shall be allocated under the regular state grant formula, providing a program level of \$1,800,000,000 for the fiscal year 2003.

HEAD START

The conference agreement includes a provision proposed by the Senate to exempt the Head Start program from the across-the-board reduction. H.R. 246 contained no similar provision.

DIVISION N--TITLE IV--TANF AND MEDICARE

The conference agreement includes section 401, which extends the Temporary Assistance for Needy Families in the manner authorized for fiscal year 2002 through June 30, 2003, instead of September 30, 2003 as proposed by the Senate. The House bill contained no similar provision.

The conference agreement includes a new section, section 402, in lieu of sections 402 through 404 as proposed by the Senate, which (1) temporarily increases payments to rural and 'other urban' hospitals through September 30 to the large urban standardized amount; and (2) provides legal protection for the Administration should they make corrections to data errors in the physician payment formula for past fiscal years. The House bill contained no similar provision.

The conference agreement includes section 403, originally proposed by the Senate as section 405 in the Senate amendment, which extends the Federal payment for Medicare Part B through Medicaid for qualifying individuals (those between 120 and 135 percent of poverty) through September 30, 2003. The House bill contained no similar provision.

OFFSETS

The conference agreement includes a 0.65 percent across-the-board rescission to discretionary budgetary resources provided in divisions A through K of this Act, as well as to any previously enacted fiscal year 2003 advance appropriation. This rescission does not apply to the Head Start program, the Veterans' Medical Care program, the Women, Infants, and Children nutrition program, or the space shuttle program. Specific exemptions for these programs are also included in the respective sections of this joint resolution.